

Notice of Allowability	Application No.	Applicant(s)	
	09/405,807	ECKEL, JOHN R.	
	Examiner	Art Unit	
	Yogesh C. Garg	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to SAB filed on 8/15/2005 & Interview Summary on 5/24/06.
2. ☒ The allowed claim(s) is/are 1-75, 80-84.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>12/30/2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This is in response to the Supplemental Appeal Brief filed on 8/15/2005. An Examiner's Amendment is set forth below.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Mr. John R. Eckel, Jr. on 5/24/2006.

Claims 1-2, 18, 25, 37, 45, 53 and 61 are currently amended in the application as follows:

1. (Currently Amended) A method comprising:

maintaining a database of personal information relating to a consumer, the database associated with a plurality of domain names and the personal information including a list of preferred providers identified by the consumer or by prior purchases thereby;

receiving a request initiated by the consumer and transmitted over a global communication network to a system associated with the plurality of domain names, wherein the request includes one of the plurality of domain names and the domain

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name included in the request includes an identification of a subject of the request without identifying a specific provider thereof;

identifying, responsive to the received request initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider;

forwarding the identified at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the identified at least one provider to communicate therewith; completing a transaction between the consumer and a provider selected from the identified at least one provider; and

updating the personal information based on the completed transaction, wherein the updated personal information is accessible by the system for use in connection with a subsequent request initialed by the consumer that includes a different one of the plurality of domain names, with the domain name included in the subsequent request including an identification of the subject of the subsequent request.

2. (Currently Amended) The method of Claim 1, wherein each of the plurality of domain names includes a common domain name element, said domain name identifying goods/services ~~without identifying a specific provider thereof~~, said common domain name element is in the form INEED SUBJECT.XXX, where "SUBJECT" is a consumer-selected subject matter object and "XXX" is a consumer-selected, top-level extension of the domain name.

18. (Currently Amended) A system comprising:

a database operable to store ~~for storing~~ information associated with a consumer, the database associated with a plurality of domain names and the information including a list of preferred providers identified by the consumer or by prior purchases made thereby; and

a server, in communication with the database, operable to receive ~~for receiving~~ a request initiated by said consumer and transmitted over a global communication network, the server associated with the plurality of domain names and the request including one of the plurality of domain names, with the domain name included in the request including an identification of a subject of the request without identifying a specific provider thereof said server further including:

a module operable to select ~~for selecting~~, responsive to the received request and based upon said request and said preferred providers stored in the database, at least one name of at least one provider; and

a controller operable to forward ~~for forwarding~~ the selected at least one name of the at least one provider to said consumer, wherein said consumer is then capable of choosing a provider from the selected at least one provider to communicate and complete a business transaction therewith, the server being further operable to:

update the information associated with the consumer based on the completed transaction; and

access the updated information for use in connection with a subsequent request initiated by said consumer, wherein the subsequent request includes a different one of the plurality of domain names and the domain name included in the subsequent request identifying a subject of the subsequent request.

25. (currently Amended) A method for providing a consumer with a customized presentation containing the names of various providers of goods and services that are selected, said method comprising:

storing, within an intermediary system, consumer-provided information associated with said consume;

receiving a request initiated by said consumer and transmitted over a global communication network to said intermediary system, said request being a domain name associated with the intermediary system, with the domain name identifying a subject of the request without identifying a specific provider thereof;

selecting, responsive to the received request and based upon said information associated with said consumer and stored in said intermediary system, at least one name of at least one provider;

forwarding the selected at least one name of the at least one provider within a customized presentation to said consumer, wherein said consumer is then capable of choosing a provider from the selected at least one provider to communicate and, optionally, transact business therewith;

operating, within said intermediary system, as an intermediary between said consumer and said chosen provider; and

updating the information associated with the consumer based upon a provider chosen thereby with which to transact business, wherein the information is updated for future use in selecting, responsive to a subsequent received request and based upon the updated information, at least one name of at least one provider.

37. (Currently Amended) A method comprising:

maintaining a database of personal information relating to a consumer, the personal information including a list of at least one preferred provider of goods or services;

receiving a search request initiated by the consumer over a global communications network, the Request comprising a domain name identifying a type of goods or services without identifying a specific provider thereof;

identifying, in response to the received search request, one or more providers of the type of goods or services requested based upon the at least one preferred provider,

presenting the one or more providers to the consumer,

enabling the consumer to complete a transaction with a provider from the one or more providers chosen by the consumer; and

updating the list of at least one preferred provider based upon the one or more providers chosen by the consumer to complete the transaction, wherein the list of at

least one preferred provider is undated to identify the chosen provider as a preferred provider for future use in selecting, responsive to a subsequent received request.

45. (Currently Amended) An apparatus for facilitating a transaction between a consumer and a provider of goods or services over communications network, the apparatus being adapted to:

maintain a database of personal information relating to a consumer wherein the personal information relating to the consumer includes a list of a plurality of consumer-provided names of one or more providers with which the consumer prefers to transact business;

receive a search request initiated by the consumer over a global communications network, the request identifying a type of goods or services, the search request having a single set of characters forming a plurality of fields, a first field having a common name as between different search requests and a second field identifying the type of goods or services to be searched without specifying a specific provider of goods or services;

identify, responsive only to the search request without additional search information being directly provided by the consumer, one or more providers of the type of goods or services requested, this one or more providers being identified based upon the personal information relating to the consumer in the database;

present the one or more providers to the consumer; and

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enable the consumer to complete a transaction with a provider from the one or more providers chosen by the consumer using the personal information in the database wherein the list is automatically updated to reflect the consumer completing a transaction with the provider chosen by the consumer.

53. (Currently Amended) A method comprising:

maintaining a database of personal information relating to a consumer;

receiving a request initiated by the consumer and transmitted over a global communication network to a system, said request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and a second field identifying a type of goods or services without identifying a specific provider thereof;

selecting, responsive only to the received request initiated by the consumer without additional search information being directly provided by the consumer and based upon the personal information relating thereto in the database, at least one name of at least one provider; [[and]]

forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith[.]; and

updating the database of personal information for subsequent selections of at least one provider, based upon the provider chosen by the consumer with which to communicate.

61. (Currently Amended) A system comprising:

a database operable to store ~~for storing~~ information associated with a consumer;

a server, communicably coupled to the database, operable to receive ~~for receiving~~ a request initiated by said consumer and transmitted over a global communication network, the request comprising a single set of characters representative of typed text, the typed text including a first field having a common name as between different requests and a second field for identifying at least one type of goods or services without identifying a specific provider thereof, said server further including:

a module operable to select ~~for selecting~~, responsive to the received request without additional information directly provided by the consumer and based upon personal information relating to the consumer in the database, at least one name of at least one provider; and

a controller operable to forward ~~for forwarding~~ the selected at least one name of the at least one provider to said consumer, wherein said consumer is thereafter enabled to choose a provider from the selected at least one provider to communicate and selectively complete a transaction therewith, wherein the information associated with the consumer is automatically updated for subsequent selections by the module, based upon the provider chosen by the consumer with which to complete a transaction.

Allowable Subject Matter

3. Claims 1-75 and 80-84 are allowed. Claims 1,18,25,37,45,53, and 61 are independent, claims 2-17, 19-24, 26-36, 38-44, 46-52, 54-60, 62-75 and 80-84 are dependent claims.

The following is an examiner's statement of reasons for allowance:

Reasons for Allowance

Claims 1-24, 34-36, 69-70, 73-75 & 80-84

3.1. The prior art of record neither anticipates nor renders obvious a computerized method and a system implementing, inter alia, as a whole, the steps of maintaining a database of personal information of a consumer, the database associated with a plurality of domain names and the personal information including a list of preferred providers of the consumer, receiving a search request initiated by the consumer over a global communication network, the request comprising a domain name identifying a type of goods or services, without identifying a specific provider thereof, identifying, in response to the request, at least one provider, presenting the provider to the consumer and being able to complete the transaction with that provider and updating the personal information of the consumer based upon the completed transaction for future use in a subsequent request initiated by the consumer and the request including a different one of the plurality of domain names and the domain name included in the

subsequent request including an identification of the subject of the subsequent request(see at least independent claims 1 and 18).

Claims 25-33, 37-44 and 71

3.2. The prior art of record neither anticipates nor renders obvious a computerized method and a system implementing, inter alia, as a whole, the steps of storing personal information of a consumer in a database/intermediary system , receiving a request initiated by the consumer over a global communication network, the request comprising a domain name identifying a type of goods or services/subject of the request, without identifying a specific provider thereof, selecting in response to the request, at least one provider based upon the personal information stored , forwarding the selected provider to the consumer for enabling the consumer to communicate or complete the transaction with that provider and updating the personal information of the consumer associated with at least one preferred provider based upon the provider chosen to communicate or compete the transaction for future use in a subsequent request initiated by the consumer (see at least independent claims 25 and 37).

Claims 45-68,71-72

3.3. The prior art of record neither anticipates nor renders obvious a computerized apparatus implementing, inter alia, as a whole, the steps of maintaining a database of personal information relating to a consumer, receiving a search request

initiated by the consumer over a global communications network, the search request having a single set of characters forming a plurality of fields, a first field having a common name as between different search requests and a second field identifying the type of goods or services to be searched without specifying a specific provider of goods or services, selecting, responsive only to the search request without additional search information being directly provided by the consumer, at least one provider of the type of goods or services requested, this at least one provider being identified based upon the personal information relating to the consumer in the database, presenting the at least one provider to the consumer, and enabling the consumer to communicate or complete a transaction with the provider wherein the personal information of the consumer in the database is updated to reflect the consumer communicating/completing a transaction with the selected provider

The above reasons of allowance is written specifically related to the language/limitations recited in claim 45, but the other independent claims 53 and 61 recite language/limitations closely parallel to that of claim 45 and are therefore allowable on the same reasons cited above.

4. The subject matter of all the allowed claims is supported by the disclosure (see applicant's "summary of invention " on pages 2-6 of the Supplemental Appeal Brief filed on 8/15/2005 in particular with all the independent claims 1, 18, 25, 37, 45, 53 and 61)

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5 Discussion of most relevant prior art:

The following references have been identified as most relevant prior art to the claimed invention(s).

(a) The most closely applicable prior art of record is referred to combination of Dean et al. (US Patent 6,055,512) in view of Traderonline (Traderonline.com-Press release, " Florida Tops Boat Trader ® Online Activity ", PR Newswire, New York; Sep 22, 1998, pages marked 1, 2, copy of listing of various Internet sites of Traderonline.com as published in 1997, pages marked 3,4,5, Press release, " Seattle Tops RV Trader ® Online Activity ", PR Newswire; New York; Sep 25, 1998, pages marked 6, and Press Release, " Auto Trader ® Online Partners with The Nalley Companies Offering Best Used Vehicle Selection in Atlanta ", PR Newswire; New York; Nov 9, 1998, all extracted from Internet on 04/04/2002) and further in view of Wells et al. (US Patent 6,055,512).

Deal et al. teaches a method and system comprising the steps of maintaining a database of personal information relating to a consumer, the personal information having been previously provided by the consumer and including consumer-identified preferred providers (at least see, col.6, lines 23-41, " Referring to FIG.4...stored data in a database 400.....stores the user data in database 400...user data specifies personal preferences or other information as described above.....". Also see col.2, lines 34-36,), receiving a request initiated by the consumer and transmitted over a global communication network to a system (at least see, col.5, lines 2-17, "...The gateway devices connect to appropriate...public switched telephone network 105, or a cable TV network 106,...or an on-line service.....Compuserve @.wide area network 107....Internet 108..."), selecting, responsive to the received request,

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initiated by the consumer and based upon the personal information relating to thereto in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith (at least see, col.6, line 41-col.7, line 43, "... The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user data....personal references...retrieves data items...displays ..on a user interface....").

Traderonline discloses a website facilitating search for different products , such as automotives, aircrafts, boats, trucks, motorcycles, etc. by connecting to individual websites for each of these products and these individual websites have domain names comprising a common name in " Trader Online" and first field identifying the product, such as boat, auto, Big Truck, etc the product that website supplies (see pages 1-9) without identifying a specific provider.

Wells discloses maintaining a database of user-specific profiles which are accessible on a global communication network and these user-specific profiles are updated each time a user completes a transaction (see at least col.4, lines 1-57, "..... establishing a user-specific profile on a web-site which is accessible via a global communication network and which has an associated database for storing financial transaction information received from a plurality of users. The database profile can then be periodically updated, for example, each time a user connects to the web-site.", and col.15, lines 36-53, "..... The status of each transaction is dependent on the last transaction information received from client computer.sub.n 106. The status is

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either downloaded or not downloaded. Server 121 determines which transaction should be downloaded to computer.sub.n 106 based on the last transaction information received from computer.sub.n 106....."

.).

But neither one of them as individually or combined discloses or renders obvious the novel features, underlined above, as a whole.

6. The arguments by the applicant (see pages 7-16 of Supplemental Appeal Brief filed on 8/15/2005) that the combination of cited references does not establish a *prima facie* case of obviousness is compelling.

7 Cited Prior Art:

(i) US Patent 6,412,014 to Ryan discloses an URL directory including a separate listing associated with each of a plurality of domain names, for example, for the domain name of Smith.com could contain a number of Smith.com listings (see Fig.1; Smith. com/Electrical, Smith. com/Plumbing, Smith. com/Bakery and each of these listings having separate IP addresses. These domain names comprise a common name Smith and another field indicating the type of goods or services, that is goods related to Bakery or goods/services related to electrical/plumbing without identifying a specific provider. But Ryan neither individually nor combined with another prior art discloses or renders obvious the novel features, underlined above, as a whole.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

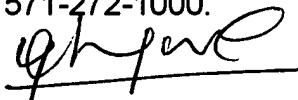
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on M-F(8:30-4:00).

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
5/30/2006